

Where land is sold under the act to direct descents, the mutation from realty to personalty is not effected until the sale has been finally ratified, and the purchaser has complied with the terms thereof. *Betts v. Wirt*, 3 Md. Ch. 115.

This section referred to in construing sections 41 and 44. *Catlin v. Catlin*, 60 Md. 582.

1904, art. 46, sec. 53. 1888, art. 46, sec. 53. 1860, art. 47, sec. 53.
1820, ch. 191, sec. 9.

53. But if all the parties entitled shall be minors at the death of the intestate, the estate shall not be sold until the eldest arrives at age, and the profits of the estate shall be equally divided in the meantime.

Cited but not construed in *Catlin v. Catlin*, 60 Md. 576.

Ibid. sec. 54. 1888, art. 46, sec. 54. 1860, art. 47, sec. 54.
1820, ch. 191, sec. 18.

54. When the estate of an intestate shall be sold on a credit, bonds shall be taken for the purchase money from the purchaser or purchasers, by the commissioners, with security, and made payable to each representative, respectively, according to his proportional part of the net amount of sales, with interest thereon from the day of sale, and in such instalments as the court shall direct; which bonds shall remain and be a lien on the lands for the purchase of which they were given, until the said bonds shall be paid.

See notes to sections 51 and 55.

Ibid. sec. 55. 1888, art. 46, sec. 55. 1860, art. 47, sec. 55.
1820, ch. 191, sec. 22.

55. It shall not be necessary, if the court shall deem it to be the interest of all persons concerned, for the purchaser of any part of the real estate of any person dying intestate, which may be sold by commissioners, or where any one or more of the representatives of such intestate shall elect to take the same, or any part thereof, at the valuation made by commissioners, to give bond to each of the representatives of such intestate; but such purchaser or person who may elect to take such real estate, or any part thereof, may give bond to the State of Maryland, in such penalty and with such sureties as the court shall direct and approve, conditioned for the payment of the amount of the valuation or purchase money (as the case may be), to the legal representatives of such intestate, in such proportions as each may be entitled to, agreeably to the order of the court; which bond shall be and remain a lien on the said real estate until the money intended to be secured thereby shall be wholly paid, and the said bond shall be recorded among the records of the court from which the commission may have issued; and upon such bond, or any office copy thereof, suit or suits may be instituted against the obligors therein, or any of them, for any breach of the condition thereof by any person interested therein.

This section repudiates everything like an equitable lien, and liability on the bond provided for therein can only be enforced at common law. Waiver and extinction of lien. *Ridgely v. Iglehart*, 3 Bl. 546. *Cf. B. & O. R. R. Co. v. Trimble*, 51 Md. 107.